

# HOUSE BILL 725

P5

CONSTITUTIONAL AMENDMENT

1lr2248

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By: **Delegate Ivey**

Introduced and read first time: January 26, 2021

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Constitutional Amendment – Legislative Sessions**

3 FOR the purpose of proposing an amendment to the Maryland Constitution to add a certain  
4 number of legislative sessions each year; providing for the lengths of certain  
5 legislative sessions each year; making a clarifying change; and submitting this  
6 amendment to the qualified voters of the State for their adoption or rejection.

7 BY proposing an amendment to the Maryland Constitution  
8 Article III – Legislative Department  
9 Section 14 and 15

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
11 (Three-fifths of all the members elected to each of the two Houses concurring), That it be  
12 proposed that the Maryland Constitution read as follows:

13 **Article III – Legislative Department**

14 14.

15 The General Assembly shall meet on the second Wednesday of January, nineteen  
16 hundred and seventy-one, and on the same day in every year thereafter[.]; **ON THE**  
17 **SECOND WEDNESDAY OF JUNE TWO THOUSAND AND TWENTY-THREE, AND ON THE**  
18 **SAME DAY IN EVERY YEAR THEREAFTER; ON THE SECOND WEDNESDAY OF OCTOBER**  
19 **TWO THOUSAND AND TWENTY-THREE, AND ON THE SAME DAY IN EVERY YEAR**  
20 **THEREAFTER;** and at no other time, unless convened by joint proclamation of the President  
21 of the Senate and the Speaker of the House of Delegates under Section 17(g) of Article II of  
22 this Constitution or by Proclamation of the Governor. The Governor shall issue a  
23 Proclamation convening the General Assembly in extraordinary session if a majority of the  
24 members elected to the Senate and a majority of the members elected to the House of  
25 Delegates join in a petition to the Governor requesting that the Governor convene the

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 General Assembly in extraordinary session, and the Governor shall convene the General  
2 Assembly on the date specified in the petition. This section does not affect the Governor's  
3 power to convene the General Assembly in extraordinary session pursuant to Section 16 of  
4 Article II of this Constitution.

5 15.

6 (1) The General Assembly may continue its **JANUARY** session so long as in its  
7 judgment the public interest may require, for a period not longer than ninety days in each  
8 year. The ninety days shall be consecutive unless otherwise provided by law. The General  
9 Assembly may extend its **JANUARY** session beyond ninety days, but not exceeding an  
10 additional thirty days, by resolution concurred in by a three-fifths vote of the membership  
11 in each House. **THE GENERAL ASSEMBLY MAY CONTINUE ITS JUNE SESSION SO LONG**  
12 **AS IN ITS JUDGMENT THE PUBLIC INTEREST MAY REQUIRE, FOR A PERIOD NOT**  
13 **LONGER THAN THIRTY DAYS IN EACH YEAR. THE THIRTY DAYS SHALL BE**  
14 **CONSECUTIVE UNLESS OTHERWISE PROVIDED BY LAW. THE GENERAL ASSEMBLY**  
15 **MAY CONTINUE ITS OCTOBER SESSION SO LONG AS IN ITS JUDGMENT THE PUBLIC**  
16 **INTEREST MAY REQUIRE, FOR A PERIOD NOT LONGER THAN THIRTY DAYS IN EACH**  
17 **YEAR. THE THIRTY DAYS SHALL BE CONSECUTIVE UNLESS OTHERWISE PROVIDED**  
18 **BY LAW.** When the General Assembly is convened by Proclamation of the Governor, the  
19 session shall not continue longer than thirty days, but no additional compensation other  
20 than mileage and other allowances provided by law shall be paid members of the General  
21 Assembly for special session.

22 (2) Any compensation and allowances paid to members of the General Assembly  
23 shall be as established by a commission known as the General Assembly Compensation  
24 Commission. The Commission shall consist of nine members, five of whom shall be  
25 appointed by the Governor, two of whom shall be appointed by the President of the Senate,  
26 and two of whom shall be appointed by the Speaker of the House of Delegates. Members of  
27 the General Assembly and officers and employees of the Government of the State of  
28 Maryland or of any county, city, or other governmental unit of the State shall not be eligible  
29 for appointment to the Commission. Members of the Commission shall be appointed for  
30 terms of four years commencing on June 1 of each gubernatorial election year. Members of  
31 the Commission are eligible for re-appointment. Any member of the Commission may be  
32 removed by the Governor prior to the expiration of his term for official misconduct,  
33 incompetence, or neglect of duty. The members shall serve without compensation but shall  
34 be reimbursed for expenses incurred in carrying out their responsibilities under this  
35 section. Decisions of the Commission must be concurred in by at least five members.

36 (3) Within 15 days after the beginning of the regular session of the General  
37 Assembly in 1974 and within 15 days after the beginning of the regular **JANUARY** session  
38 in each fourth year thereafter, the Commission by formal resolution shall submit its  
39 determinations for compensation and allowances to the General Assembly. The General  
40 Assembly may reduce or reject, but shall not increase any item in the resolution. The  
41 resolution, with any reductions that shall have been concurred in by joint resolution of the  
42 General Assembly, shall take effect and have the force of law as of the beginning of the

1 term of office of the next General Assembly. Rates of compensation and pensions shall be  
2 uniform for all members of the General Assembly, except that the officers of the Senate and  
3 the House of Delegates may receive higher compensation as determined by the General  
4 Assembly Compensation Commission. The provisions of the Compensation Commission  
5 resolution shall continue in force until superseded by any succeeding resolution.

6 (4) In no event shall the compensation and allowances be less than they were  
7 prior to the establishment of the Compensation Commission.

8 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
9 determines that the amendment to the Maryland Constitution proposed by Section 1 of this  
10 Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland  
11 Constitution concerning local approval of constitutional amendments do not apply.

12 SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the  
13 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified  
14 voters of the State at the next general election to be held in November 2022 for adoption or  
15 rejection pursuant to Article XIV of the Maryland Constitution. At that general election,  
16 the vote on the proposed amendment to the Constitution shall be by ballot, and on each  
17 ballot there shall be printed the words “For the Constitutional Amendment” and “Against  
18 the Constitutional Amendment”, as now provided by law. Immediately after the election,  
19 all returns shall be made to the Governor of the vote for and against the proposed  
20 amendment, as directed by Article XIV of the Maryland Constitution, and further  
21 proceedings had in accordance with Article XIV.